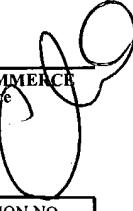




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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,622	09/28/2001	Daniel Canon	9D-RG-19584	2283
23465	7590	07/23/2004	EXAMINER	
JOHN S. BEULICK C/O ARMSTRONG TEASDALE, LLP ONE METROPOLITAN SQUARE SUITE 2600 ST LOUIS, MO 63102-2740			COCKS, JOSIAH C	
		ART UNIT		PAPER NUMBER
		3749		

DATE MAILED: 07/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/682,622	CANON, DANIEL
Examiner	Art Unit	
Josiah Cocks	3749	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 27 April 2004.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1,3-7 and 9-13 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1,3-7 and 9-13 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) Notice of Informal Patent Application (PTO-152)
6) Other: _____.

DETAILED ACTION

Response to Amendment

1. Receipt of applicant's amendment filed 4/27/2004 is acknowledged.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-7 and 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art Figure 3 in view of *Cherry et al.* (US # 5,119,802) and *Michaels* (US # 3,551,083).

Applicant's admitted prior art Figure 3 shows an ignition system method for installing an ignition module for a flame burner to an electrical system identical to that described in applicant's claims 1, 3-7, and 9-13 including an AC power source (44), a junction box (72), a phase conductor (74), a neutral conductor (76), the ignition module including first and second inputs (80 and 82) and a single output (84), connecting the phase conductor to the first input of the ignition module; connecting the neutral conductor to the second input of the ignition module, connecting a ground conductor (78) between the neutral conductor and a burner (22), and connecting the single output to an igniter (44).

Applicant's prior art Figure 3 does not show the use of an isolation transformer and the details of the transformer structure and location.

Cherry et al. teaches an ignition system having a ignition module (62), and an isolation transformer (64) arranged in series between the ignition module and the phase conductor (L1) and neutral conductor (N) of a AC power supply (see Fig. 6 and col. 4, lines 49-64). The neutral conductor (N) is shown in Figure 6 to be grounded beyond the isolation transformer. *Cherry et al.* does not show any details of the isolation transformer, however, *Michaels* is included to shown an ignition system analogous to that of *Cherry et al.* including an isolation transformer (72). In *Michaels*, the isolation transformer is shown connected in series between AC power supply terminals (66 and 68) and an ignition module (40). The isolation transformer includes a primary winding (76) and a secondary winding (74). A person of ordinary skill in the art would recognized that the isolation transformer (64) of *Cherry et al.* would have the same structure as illustrated in *Michaels* and would thus include primary and secondary windings. The examiner considers that when applicant's prior art Figure 3 is modified to include an isolation transformer as shown in *Cherry et al.*, this isolation transformer would be arranged between the junction box and ignition module.

Therefore, in regard to claims 1, 3-7, and 9-13, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify applicant's prior art Figure 3 to incorporate the isolation transformer of *Cherry et al.* as an isolation transformer desirably functions to allow the power supply terminals to be connected to an available source of power such as a 120 volt AC supply while only supplying a smaller and therefore safer voltage to a secondary circuit, such as an ignition circuit of a burner (see *Michaels*, col. 4, lines 40-49).

Response to Arguments

4. Applicant's arguments with respect to claims 1, 3-7, and 9-13 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Josiah Cocks whose telephone number is (703) 305-0450. The examiner can normally be reached on weekdays from 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ira Lazarus, can be reached at (703) 308-1935. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0861.

jcc
July 20, 2004


JOSIAH COCKS
PRIMARY EXAMINER
ART UNIT 3749